

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1768 - SB 1813

March 5, 2018

SUMMARY OF BILL: Enacts the "Phantom Damages Elimination Act" for the purpose of preventing compensatory damage awards for medical expenses from including amounts that the claimant has not and will not pay for medical care or treatment provided to the claimant.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Title 29, Chapter 39 of the Tennessee Code Annotated establishes compensation for economic and noneconomic damages in civil cases.
- The proposed legislation adds to this chapter and would provide that in a civil action for damages because of injury, economic damages for medical care and treatment are limited to the amount actually paid by the claimant or the amount that is actually necessary to satisfy the unpaid charges for which the claimant or a third party on behalf of the claimant has a legal obligation to pay.
- Any impact to the Administrative Office of the Courts can be accommodated within their existing resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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